

North Little Rock Board of Adjustment

Minutes

October 29, 2009

The regular meeting of the North Little Rock Board of Adjustment was called to order by Chairman Carl Jackson at 1:30 P.M. in the Planning Office (Conference Room B).

Members Present

Debra Roberts
Tom Brown
Andy Hight
Carl Jackson, Chairman

Members Absent

Jimmy Phillips

Staff Present

Wade Dunlap, City Planner
B. J. Jones, Secretary

Others Present

Mike Gurly, 7004 Remount Rd
Brian Cox, 401 Main St, Ste 200, NLR, AR
Bhu Makan, 1501 Merrill Dr, LR, AR 72211
James Coughlin, 7004 Remount Rd

Approval of Minutes

Chairman Jackson suggested the minutes be held over until next month, considering the minutes from the special meeting were incomplete at the time the packet was sent out.

The Board was in agreement.

Tom Brown formed a motion to excuse Mr. Phillips from today's meeting.

Ms. Roberts seconded the motion and there was no dissent.

Old Business

None

New Business

1. **BOA CASE #1433** – Mr. Kal Makan, Makan Hospitality; 4000 Springhill Plaza Court, Lots 1 and 2, Springhill Plaza Addition. The request is to allow a height variance of 11.5 ft. above the allowed 45 ft. in a C-3 zone.

Chairman Jackson stated the case number, the applicant's name and requested that the applicant come before the Board.

Mr. Makan's brother, Bhu Makan, was in attendance for him. He was sworn in.

Wade Dunlap explained that the applicant is requesting an additional five feet on a height variance that was previously approved by this Board.

Chairman Jackson asked the applicant's representative to state the hardship.

Mr. Makan replied that they are constrained by requirements from Holiday Inn.

Chairman Jackson asked if they are trying to comply with a standard plan from that company.

Mr. Makan replied in the affirmative.

Mr. Dunlap pointed out that the flat roof of the hotel meets the standard forty-five foot requirement of the City. The variance is only for the arched façade.

Chairman Jackson asked what changes had been made since the variance was last approved.

Mr. Makan explained that there had been no changes to the plans. There was an error in calculations on the part of the architect causing the difference in the height variance needed.

Mr. Dunlap noted that staff recommends approval considering that it is only the facade that requires a height variance.

Chairman Jackson asked what staff considered the hardship to be.

Mr. Dunlap replied that the façade enhanced the aesthetic appeal of a four story hotel.

Mr. Brown asked if the last variance request was for a four story hotel.

Mr. Dunlap replied in the affirmative.

Ms. Roberts reiterated that the Board had already approved this request. The height variance had increased due to a miscalculation by the architect. She then formed a motion to grant the applicant's request based on staff recommendations.

Mr. Hight seconded the motion and it passed with a unanimous vote.

2. **BOA Case # 1434** – Mr. James Coughlin, 7004 Remount Road, legally described as Lot 1, Richard Garrett Addition. To allow a 20 x 30 accessory building in the side yard of a residential lot in a C-3 zone.

Mr. Coughlin was in attendance with the property owner, Mike Gurly. Both were sworn in by Chairman Jackson while Mr. Dunlap displayed photos of the property.

Chairman Jackson asked how the property was zoned.

Mr. Dunlap replied that the zoning for the property is C-3.

Chairman Jackson asked what the intended use would be for the proposed structure.

Mr. Gurly replied that it would be used for storage only.

Mr. Dunlap informed the Board that the property is situated in a flood plain and that the owner had already gotten approval for a non-inhabited structure from Ed Chapman.

The owner added that the property is situated adjacent to Five Mile Creek and much of the ground stays wet.

Chairman Jackson asked the applicant to state a hardship.

Mr. Coughlin stated that the topography of the property and its proximity to Five Mile Creek make it more challenging to locate an accessory building.

Mr. Dunlap stated that staff recommends approval of the applicant's request as long as he meets conditions set forth for the flood way.

Mr. Brown formed a motion to approve the applicant's request.

Mr. Hight seconded the motion and it was passed with a unanimous vote.

3. **BOA Case # 1435** – Mr. Brian Cox, Argenta CDC; 1524 Marion Street, Lot 16 Block 10, Holts Addition. To allow a variance of 2.5 ft from the required 6 ft. for the interior side yard setback and a 3.5 ft. variance from the required 15 ft. for the street side yard setback on a residence in an R-3 zone.

Mr. Cox was sworn in by Chairman Jackson while Mr. Dunlap displayed photos of the property.

Mr. Cox explained that he had gotten a variance for an adjacent house last year and is asking for the same thing again for this property to mirror the other house.

Chairman Jackson noted that these are small fifty foot lots.

Mr. Dunlap agreed that the small lots are challenging to build on; especially corner lots, such as this one.

Mr. Dunlap noted that the alley would be maintained. He added that the City is in favor of improving the neighborhood by allowing a nice home on the lot, rather than leaving a vacant lot.

Chairman Jackson asked the applicant to state a hardship.

Mr. Dunlap noted that the small lot is the hardship.

Ms. Roberts formed a motion to approve the applicant's request.

Mr. Brown seconded the motion, which passed with a unanimous vote.

Mr. Cox asked if a fence authorization can be included with his request.

Mr. Dunlap replied in the negative, explaining that the fence had not been addressed in the applicant's request, therefore, not advertised. He added that the fence request could be reviewed by staff at a later date.

Administrative:

Mr. Dunlap reminded the Board that the November meeting would be a week early due to the Thanksgiving holiday. The meeting will take place on November 19th. He added that the December meeting would be on December 17th, due to Christmas holidays.

PUBLIC COMMENT/ADJOURNMENT:

Ms. Roberts made the motion to adjourn at 1:53 pm and there was no dissent.

PASSED: _____ RESPECTFULLY SUBMITTED:

CARL JACKSON, CHAIRMAN

ROBERT VOYLES, DIRECTOR